Department of Environment & Labour
Business Plan

2003-04

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MESSAGE FROM THE MINISTER AND DEPUTY

On behalf of the Department of Environment and Labour, we are pleased to present the Department's business plan for 2003-04.

Environment and Labour is one of the province's largest departments. We have regulatory responsibility for a broad range of issues in addition to environment and labour, including financial services, pensions, and alcohol and gaming services.

A key determinant of government effectiveness is how well regulatory systems achieve their policy objectives. Environment and Labour administers 30 Acts and 120 sets of regulations. For this reason, effective and efficient regulatory management is a continuing priority for the department, and is again highlighted in this year's plan. A second important component - public education - is also critical to the department's success in carrying out its regulatory mandate, therefore educational initiatives continue to play a key role in meeting the department's goals.

Most importantly, our business plan is customer focused. The amalgamation two years ago that created Environment and Labour, has helped the department realize operational efficiencies which benefit our clients. Reduction of red tape, and a focus on improving the timeliness and effectiveness of our services, are consistent themes underlying all our activities.

This plan is both aggressive and realistic. It allows Environment and Labour to build upon its past accomplishments and to deliver the best possible services for our clients.

We look forward to leading the department as we take action together on the important objectives that we have set for ourselves in 2003-04.

Ronald S. Russell, CD
Minister

Ron L'Esperance
Deputy Minister

A. Mission

The mission of the Department of Environment and Labour is to protect and promote:

- the safety of people and property;
- a healthy environment;
- employment rights;
- the interests of financial services consumers and pension plan members; and
- consumer interests and public confidence in the alcohol and gaming services sectors.

B. Planning Context

The department's mission is accomplished through a variety of both regulatory and non-regulatory measures such as public education and communications, standard setting, codes of practice, promotion of partnerships and stewardship agreements, and environmental and natural areas management programs. The department also provides dispute resolution services that promote effective workplace relationships, and provides advice, assistance, and representation to injured workers served by the Workers' Advisers Program. The departmental organizational structure supporting delivery of these services is presented in Appendix A.

As a result of the 2000-01 restructuring initiative which consolidated within the Department of Environment & Labour a number of the province's major regulatory programs, a key priority for the Department has been to review and strengthen the regulatory practices and supporting business processes of its various functional components. This work will continue to be a significant area of focus for the department during 2003-04 and beyond. Our objective is to promote a regulatory environment which achieves both its ultimate goal of protecting the public interest, as well as supporting economic growth and innovation in Nova Scotia's economy.

The department's planning for 2003-04 reflects this over-arching priority. Related challenges and opportunities include:

- **Regulatory policy development**
  The department will undertake initiatives to refine and implement a proposed policy framework designed to achieve greater consistency, effectiveness, and transparency in the department's regulatory management processes. Related implementation issues pertaining to information management systems upgrading, policy capacity, and staff training and development are expected to pose significant IT and HR challenges for the department.

- **Information management systems improvement**
  Integrated and updated information management systems with enhanced analytical capability are needed to support the department's regulatory management tools, as well as to enable integration of business processes and information sharing across the department, and to support continuous improvement in client service.

- **Harmonization in regulatory and program development**
  Coordination of regulatory and program initiatives with other jurisdictions will continue to be a priority for the department during 2003-04. Intergovernmental harmonization initiatives relating to insurance, pensions, environmental management, offshore occupational health and safety, and public safety are in progress. Nova Scotia's participation in these initiatives will ensure that Nova Scotia remains competitive and will contribute to a positive climate for business and consumers, while maintaining comparable and appropriate public safety and environmental protection standards.

  Emphasis will also be placed on building mechanisms to effectively coordinate action with other NS government departments on cross-cutting issues critical to government's health care and economic growth priorities, such as: water quality, air quality, enforcement of smoke-free places legislation, and emergency response to environmental accidents and bioterrorism. Planning with partners in other levels of government and other departments enables the parties to identify and address critical gaps in regulatory measures, avoid duplication, and take advantage of opportunities for efficiencies.

- **Federal policy initiatives**
  The as yet indeterminate nature of some federal policies and programs on issues such as Kyoto implementation and regulation of toxic substances under the *Canadian Environmental Protection Act*, has presented challenges for the department in the design and implementation of complementary provincial programs needed to address critical issues such as greenhouse gas reduction and sewage management. We will continue to participate actively in bilateral, regional, and national discussions with our federal colleagues aimed at developing mutually beneficial resolution of outstanding issues.

- **Offshore Oil and Gas Activity**
  The department's capacity to provide timely and efficient regulatory services, within existing resources, is expected to be challenged by the level of offshore oil and gas exploration and development activity anticipated within the next and subsequent years. The department is addressing this by actively exploring opportunities to streamline service delivery to this sector through interjurisdictional and interdepartmental collaboration, including working with federal agencies on harmonized environmental assessments where requirements overlap. The department has also worked with the Department of Energy on a new code of practice for underground storage of natural gas and will continue to seek opportunities to collaborate with other authorities and stakeholders to refine regulatory services.

- **Improving Processes for Stakeholder Engagement**
  Through ongoing program evaluation, the department has identified opportunities for improved stakeholder communications and consultation. This will be addressed over the coming months through customer service training for staff and by refining our processes for effective stakeholder engagement.

C. Strategic Goals

1. Promote safe and healthy workplaces/work practices and safe facilities and equipment.
2. Promote sustainable management and protection of the environment and natural areas.
3. Promote employment standards, fair processes for wage compensation, effective labour-management relations, and fairness for injured workers.
4. Promote and protect the interests of financial services consumers and pension plan members.
5. Promote consumer protection in gaming/amusement activities and the service of alcohol.
6. Carry out the department's regualtory mandate in accordance with an overall model for regulatory management based on best practices and continuous improvement principles, and developed in consultation with stakeholders, including industry, government partners, NGOs and the public.

D. Core Business Areas

1. Environmental Protection and Natural Areas Management

Promotes sustainable management and protection of the environment by developing and implementing plans, standards, guidelines, and policies for the management and protection of Nova Scotia's air, water and terrestrial resources including protected areas, and by providing regionally-based regulatory approval, inspection, monitoring and enforcement services delivered through the following programs:

- environmental monitoring, inspection & compliance
- water & wastewater management
- solid waste resource management
- protected areas
- environmental services
- environmental assessment
- environmental industries
- environmental innovation
- environmental education

2. Public Safety and Occupational Health & Safety

Promotes safe and healthy workplaces and safe facilities and equipment by developing and enforcing safety standards, and providing related educational and consulting support, through the following programs:

- occupational health and safety standard development
- occupational health and safety inspections, investigations and enforcement
- fire prevention, inspection, investigation and education
- fuel safety inspection and education
- boiler safety inspection
- elevators, lifts and amusement devices safety
- electrical safety
- certification of specified trades persons
- construction of safe buildings

3. Alcohol, Gaming, and Amusements Regulation

Promotes consumer protection in gaming/amusement activities and the service of alcohol, through the following programs:

- licensing and registration
- investigation and enforcement
- film classification.

4. Employment Standards & Labour Services

Promotes employment standards, fair processes for wage compensation, effective labour-management relations, and fairness for injured workers through the following programs:

- labour standards
- conciliation/mediation services
- Workers' Advisers program;

and provides administrative support and coordination to the following agencies, boards, commissions and tribunals which provide adjudicative services for the resolution of employment or labour-related disputes:

- Labour Relations Board/Construction Industry Panel
- Labour Standards Tribunal
- Occupational Health and Safety Appeal Panel
- Crane Operators Appeal Panel
- Power Engineers and Operators Appeal Committee.

5. Pension and Financial Services Regulation

Promotes and protects the interests of financial services consumers and pension plan members through delivery of the following programs:

- trust and loan companies licensing and regulation
- credit unions regulation
- insurance industry regulation
- pension regulation.

E. Priorities

1. Environmental Protection and Natural Areas Management

- Develop proposed amendments to the *Environment Act* to update, clarify, and strengthen the Act, and to allow department resources to be refocused on areas of greatest risk to human health and the environment.
- Manage and protect Nova Scotia's drinking water supplies through implementation of the Action Plan outlined in *A Drinking Water Strategy for Nova Scotia*
- Propose amendments to the *Air Quality Regulations* that will achieve sulphur dioxide emission reduction targets outlined in Nova Scotia's Energy Strategy, and work with major facilities to develop plans that address provincial commitments to meet Canada Wide Standards for particulate matter and ozone.
- Promote conservation of natural areas on private land through stewardship approaches in partnership with landowners, conservation organizations, and other government departments.

Priorities which contribute to Red Tape Reduction:

- Implement a risk-based system for the delivery of environmental inspection, monitoring and compliance services.

2. Public Safety and Occupational Health & Safety

- Develop components of the strategic plan for the Workplace Safety and Insurance system which relate to delivery of OHS programs and services.
- Participate in regional and national inter-jurisdictional cooperative initiatives to promote health and safety in the workplace. Activities supporting this priority will include:
  - the Atlantic Action Plan Initiative on Occupational Safety and Health under the auspices of the Council of Atlantic Premiers, and
  - the Cross-Canada Young Worker Initiative sponsored by the Canadian Association of Administrators of Labour Legislation (CAALL). This is a multi-faceted initiative designed to address the disproportionate incidence of workplace injuries experienced by young workers (one-third of all work injuries happen to workers aged 15 - 24).
- Develop legislative proposals for amendments to the *Boilers and Pressure Vessel Act* and regulations and the *Amusement Services Act* and regulations, designed to replace outdated legislation and support current business practices and technology standards
- Develop a provincial plan in partnership with the Emergency Measures Organization, Department of Health, and Department of Justice for a rationalized response capability by first responders to incidents involving hazardous materials and bioterrorism.

Priorities which contribute to Red Tape Reduction:

- Conduct ongoing reviews of OHS legislation to meet provisions of proposed sunset clause, recommendations of the Red Tape Reduction Task Force, government's legislative agenda and ongoing program evaluation and review.
- Increase the number of licenses, permits and application processes handled by Service Nova Scotia in order to improve access and provide multiple payment options for clients of our services, while at the same time, decreasing transaction costs for government
- Review the regulatory process for wood and oil fuels installations and fire protection systems to assess feasibility of introducing self regulatory programs.

3. Alcohol, Gaming, and Amusements Regulation

- Initiate policy and regulatory procedures required to support compliance programs relating to the *Smoke Free Places Act*.

4. Employment Standards & Labour Services

- Maintain existing service response times for conciliation requests as required under the *Trade Union Act*, and continue to offer preventative mediation programs, in support of the collective bargaining agenda in both the public and private sectors anticipated for 2003-04.
- Complete a review of existing information/case management systems used by the six agencies, boards, commissions and tribunals administered by the Labour services division and implement a common case management/statistical database system which ensures optimal use of staff and technology.
- Implement Government decisions resulting from the department's annual review of Nova Scotia minimum wage rates conducted in 2002-03.
- Undertake a review of Labour Standards Division service delivery systems and introduce improved business processes.
- Develop components of the strategic plan for the Workplace Safety and Insurance system which relate to delivery of the Workers' Advisers Program.

5. Pension and Financial Services Regulation

- Review and revise Model Pension Law Principles following consultation.
- Provide policy analysis support with respect to the review of automobile insurance issues in Nova Scotia, including analysis of public input received in response to the discussion paper "The Road Ahead", and reporting on the results of the public consultation process.
- Review and respond to proposed amendments to the *Credit Union Act* received from the system committee examining the legislation, and prepare appropriate legislative amendments

Priorities which contribute to Red Tape Reduction:

- Develop proposed insurance legislation, harmonized within the Atlantic region, as well as harmonized general insurance agent regulations developed in consultation with the agents and brokers, educational service providers, and with regulators in the Atlantic region.

6. Department-wide

Priorities which contribute to Red Tape Reduction:

- Develop a regulatory policy framework to improve the consistency, cost-effectiveness, and transparency of the department's regulatory management processes.

F. Budget Context

Department of Environment & Labour Estimated Budget Expenditures		
	Forecast 2002-03 ($ thousands)	**Estimate 2003-04 ($ thousands)**
Total Program Expenses - Gross Current	38,071.0	40,881.2
Total Program Expenses - Net of Recoveries	25,981.0	27,558.0
Salaries and Benefits	25,392.4	27,071.3
Funded Staff (FTEs)	454	473

G. Outcomes & Outcome Measures

Outcome	Measure	Data	Target 2004-05	Strategies to Achieve Target
Core Business Area: Environmental protection and natural areas management				
Clean and safe drinking water	percentage of population served by municipal water supplies that meet the health-based criteria for bacterialogical quality, as stated in the Guidelines for Canadian Drinking Water Quality, at all times during the calendar year	96.5% (2001)	maximize the percentage of population served by municipal water supplies that meet the health-based criteria for bacterialogical quality	- enforce Water and Wastewater Regulations including the Guidelines for Monitoring Public Water Supplies - implement drinking water strategy - support and encourage the development of municipal water supply protection plans - promote innovative NS-based technological solutions to environmental problems
Clean air	annual total sulphur dioxide (SO_2) air emissions (tonnes) in the province	170,000 tonnes (2000) 164,000 tonnes (2001)	25% SO_2 cap reduction (from 189,000 tonnes to 142,000 tonnes) by 2005	- work with major industrial sources to reduce emissions through the use of lower sulphur fuels
	annual total mercury (Hg) air emissions (kg) from electrical power generation in the province	267 kg (2000) 185 kg (2001)	reduce mercury emissions from electric power generation by 30% by 2005 (to 187 kg Hg)	- work with NSPI to encourage the use of lower mercury fuels
	annual total nitrogen oxide (NO_x) air emissions (tonnes) in the province	75,000 tonnes (2000) 75,000 tonnes (2001)	reduce NO_x emissions by 20% by 2009 (to 60,000 tonnes NO_x)	- work with major industrial sources to reduce emissions - require the use of low NO_x burners for new facilities and during major upgrades and refits

Outcome	Measure	Data	Target 2004-05	Strategies to Achieve Target
Protected natural areas	total hectares of land protected through DEL program options	287,028 ha of Nova Scotia (2001-02) (31 wilderness areas, 7 nature reserves)	increase the hectares of land under various protection options	- conduct resource inventories and area assessments - conduct public consultations - encourage private land stewardship - participate in Crown land planning - support partnership agreements
Shared responsibility for environmental management	number of Solid Waste Regions, and the percentage of population they represent, that achieve 50% or more diversion from disposal	≥ 50% diversion in 2 SW Regions (48% of population) (2000-01) 1 SW Region (39% of population) (2001-02)	≥50% diversion in 7 SW Regions (100% of population)	- education, awareness - increase access to centralized composting - enforcement
	total number of product sectors under voluntary or mandatory stewardship agreements	7 of 13 targeted sectors (dairy containers, daily/wkly newspapers, residential sharps, beverage containers, tires, used oil, paint) (2001-02)	13 targeted sectors (with addition of electronic goods, fast food packaging, oil containers, household hazardous waste, plastic film, flyers and magazines)	- work with RRFB Nova Scotia - consult and negotiate with industry - add two sectors (telephone books, marine distress signals) - legislation

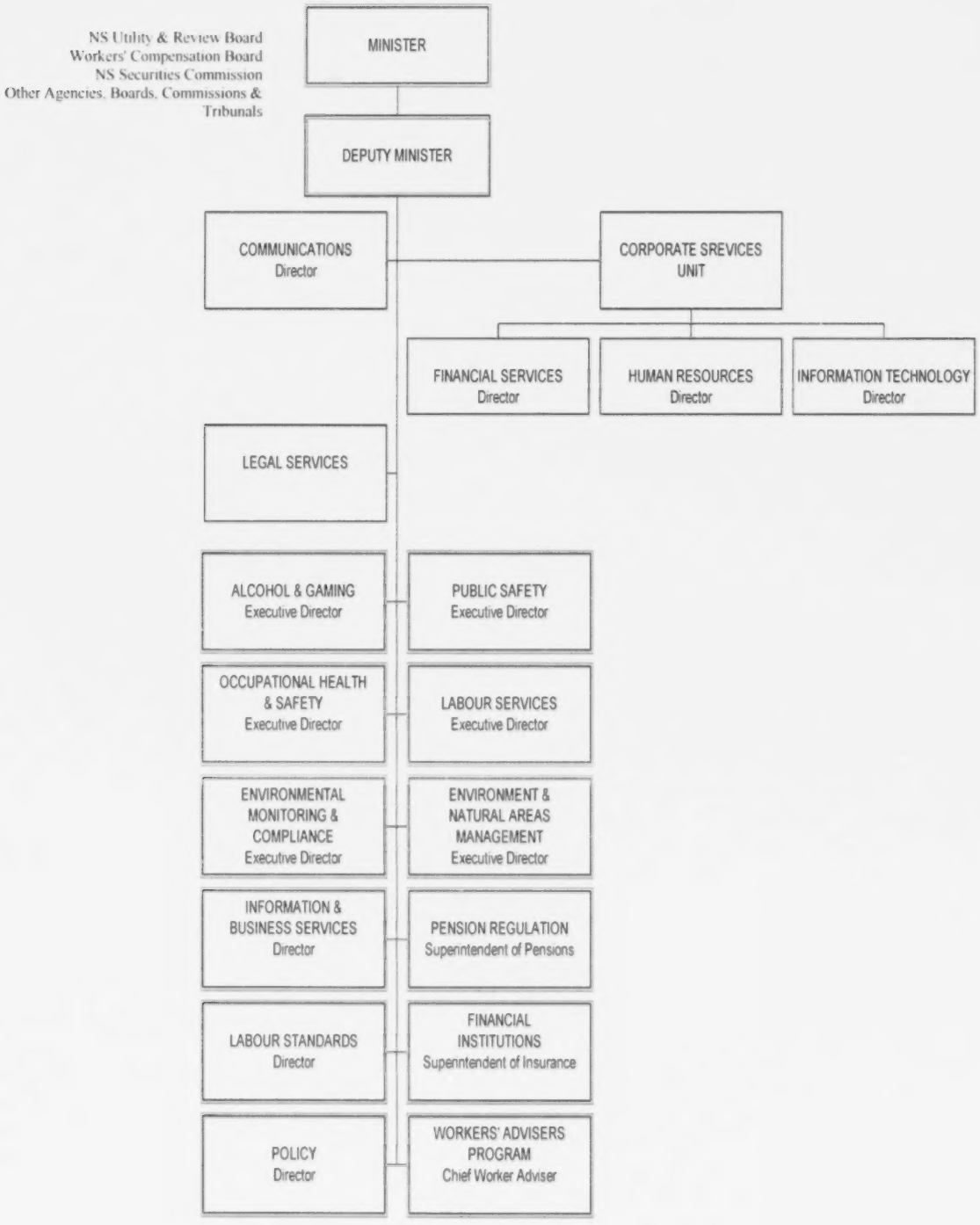
Outcome	Measure	Data	Target 2004-05	Strategies to Achieve Target
Proactive environmental management	total number of business sectors and municipalities participating with DEL in environmental management and/or pollution prevention programs and initiatives	5 participating sectors, municipalities (2001-02)	increase number of participating sectors, municipalities	- provide technical assistance - facilitate/participate in demonstration projects - partner with funding agencies/other levels of government - partner with business associations to initiate new plans
Efficient and effective program delivery	percentage of operational industrial facility approvals to which a Risk-Based Inspection and Auditing (RBIA) Program has been applied	20% of operational industrial facility approvals (2001-02)	60% of operational industrial facility approvals	- validate data-based assessments at facilities and develop a schedule for RIBA - develop and implement enforcement policy
	average administrative time (days) to process applications for the approval of the installation of on-site sewage disposal systems	40 days (2000-01) 28 days (2001-02)	20 days (50% reduction in time)	- ongoing process re-design (Note - legislation specifies 60 day turnaround time)
Core Business Area: Public Safety and Occupational Health and Safety				
A safe work environment	annual percentage of targeted inspections where an occupational health and safety order is not issued	46% (2001)	increase the percentage from the base year measure	- work with the WCB to increase OH&S promotion and education - continue to develop a targeted risk-based inspection system

Outcome	Measure	Data	Target 2004-05	Strategies to Achieve Target
A safe work environment (con't)	annual average number of registered Workers Compensation Board claims per hundred employees, compared to the five-year running average	8.31 per 100 (2000) 8.24 per 100 (1996-2000) 8.20 per 100 (2001) 8.38 per 100 (1997-2001)	annual target to maintain or decrease number of claims relative to five year running average	- work closely with WCB to identify high accident firms, sectors and types of accidents - work with the WCB to increase OH&S promotion and education - continue to develop a targeted risk-based inspection system
	average number of compensable days for all compensable time loss claims filed in the year and receiving benefits during the year, compared to the five-year running average	29.45 days (2000) 26.19 days (1996-2000) 31.60 days (2001) 28.17 days (1997-2001)	annual target to maintain or decrease the average number of days relative to the five year running average	- work closely with WCB to identify high accident firms, sectors and types of accidents - work with WCB to increase OH&S promotion and education - continue to develop a targeted risk-based inspection system

Outcome	Measure	Data	Target 2004-05	Strategies to Achieve Target
Safe public places	annual number of incidents reported involving injury from elevators and lifts per 100 units licensed in the province	0.56 incidents per 100 units licensed (2000) 0.61 incidents per 100 units licensed (2001)	incident rate at or below base-year measure	- ongoing consultation with industry - targeted inspections - enforcement
Core Business Area: Alcohol, Gaming and Amusement Regulation				
Consumer protection related to alcohol, gaming and amusement activity	percentage of liquor, gaming and amusement licensees inspected per year that are in compliance with acts and regulations	98% (2000) 95% (2001)	greater than 95% compliance rate	- increase focus on type of inspection and/or investigation - monitor problem areas - work with licensees to increase awareness of regulations and policies
Core Business Area: Employment Standards & Labour Services				
Efficient and effective client service	percentage of complaints resolved by Early Intervention	pending (2002-03)	25%	- amend current work flow and processes - implement human resources plan

Outcome	Measure	Data	Target 2004-05	Strategies to Achieve Target
Stable labour relations environment	percentage of working time lost per year due to strikes and lockouts in NS compared with the annual national average	0.01% NS 0.05% National (2000) 0.04% NS 0.07% National (2001)	annual target to meet or be less than the annual national average	- effective use of conciliation and mediation processes
Core Business Area: Pension and Financial Services Regulation				
Security of retirement income for members of private pension plans	percentage of plan members covered by pension plans registered with the province that are (a) 100% funded; or (b) have a strategy in place to achieve full funding within 5 years	(a) 93% fully (b) 7% strategy (2001)	100% of members are covered by fully funded plans or plans with an approved strategy	- ongoing review and analysis of valuation reports and data to identify solvency and funding problems - oversee employer payments required under legislation to bring the pension to full funding - any plan that is less than 100% funded must file a strategy with the department to get 100% funding within 5 years - Superintendent has the authority under the Pension Benefits Act to order payment, if necessary

APPENDIX A


NS Utility & Review Board
Workers' Compensation Board
NS Securities Commission
Other Agencies, Boards, Commissions & Tribunals
MINISTER
DEPUTY MINISTER
COMMUNICATIONS
Director
CORPORATE SREVICES
UNIT
FINANCIAL SERVICES
Director
HUMAN RESOURCES
Director
INFORMATION TECHNOLOGY
Director
LEGAL SERVICES
ALCOHOL & GAMING
Executive Director
PUBLIC SAFETY
Executive Director
OCCUPATIONAL HEALTH & SAFETY
Executive Director
LABOUR SERVICES
Executive Director
ENVIRONMENTAL MONITORING & COMPLIANCE
Executive Director
ENVIRONMENT & NATURAL AREAS MANAGEMENT
Executive Director
INFORMATION & BUSINESS SERVICES
Director
PENSION REGULATION
Superintendent of Pensions
LABOUR STANDARDS
Director
FINANCIAL INSTITUTIONS
Superintendent of Insurance
POLICY
Director
WORKERS' ADVISERS PROGRAM
Chief Worker Adviser